

1 Mark R. Thierman, NV#8285  
laborlawyer@pacbell.net  
2 THIERMAN LAW FIRM, P.C.  
7287 Lakeside Drive  
3 Reno, Nevada 89511  
Tel: (775) 284-1500  
4 Fax: (775) 703-5027

5 Matthew J. Piers  
mpiers@hsplegal.com  
6 José Jorge Behar  
jbehar@hsplegal.com  
7 Christopher J. Wilmes  
cwilmes@hsplegal.com  
8 Caryn C. Lederer  
clederer@hsplegal.com  
9 HUGHES SOCOL PIERS RESNICK & DYM, LTD.  
70 W. Madison Street, Suite 4000  
10 Chicago, IL 60602  
Tel: (312) 580-0100  
11 Fax: (312) 580-1994

12 *Attorneys For Plaintiffs*

13 **UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF NEVADA**

15 VÍCTOR RIVERA RIVERA, et al.,  
16 individually and on behalf of all others  
17 similarly situated,

18 Plaintiffs,

19 v.

20 PERI & SONS FARMS, INC.,

21 Defendant.

Case No.: 3:11-cv-00118-RCJ-VPC

**[PROPOSED] ORDER GRANTING  
FINAL APPROVAL OF  
CLASS AND COLLECTIVE  
ACTION SETTLEMENT**

22  
23 This cause comes before the Court upon Plaintiffs' Motion for entry of an Order  
24 finally approving the class and collective action settlement between Plaintiffs and Defendant  
25 Peri & Sons Farms, Inc. ("Settlement"). The Court has reviewed the Settlement Agreement  
26 and the exhibits attached thereto as well as Plaintiffs' memorandum in support of their  
27 motion. The Court finds that the settlement is fair, reasonable and adequate resolution of the  
28 issues in this proceeding and therefore,

1           **IT IS ORDERED** that:

2           1. Pursuant to Rule 23 of the Federal Rules of Civil Procedure and 29 U.S.C. §  
3 216, the following class is certified for settlement purposes only, "All H-2A workers whom  
4 Defendant Peri & Sons Farms, Inc. employed between February 16, 2005 and December 31,  
5 2011."

6           2. Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, the Court finds  
7 that the parties' class-wide Settlement Agreement negotiated by the parties is fair, reasonable,  
8 and adequate.

9           3. Pursuant to the terms of the parties' settlement agreement, the Court orders  
10 Peri & Sons to deposit an additional \$1.8 million in the Qualified Settlement Fund created by  
11 Simpuris, for a total settlement payment of \$2.8 million.

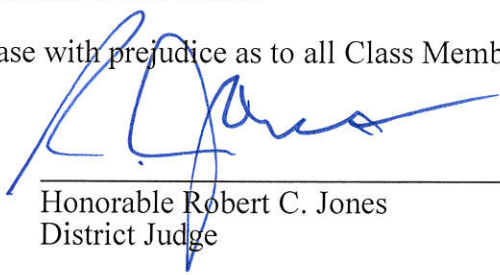
12           4. The Court finds that Class Counsel's request for \$386,145 in attorneys' fees,  
13 costs, and litigation expenses is fair and reasonable. The Court orders the Settlement  
14 Administrator to issue this payment to Class Counsel no later than 45 days after the date of  
15 this Order.

16           5. The Court approves the following payments to the Settlement Administrators:  
17 a total payment to Simpuris in the amount of \$40,000; a total payment to JCF in the amount  
18 of \$65,000, and a total payment to CDM in the amount of \$70,000. The Court orders Simpuris  
19 to issue these payments no later than 45 days after the date of this Order.

20           6. The Court orders the Settlement Administrators to distribute settlement awards  
21 to each Class Member who returned a valid and timely claim form, as contemplated by the  
22 Settlement Agreement. The Court orders the Settlement Administrators to begin distributing  
23 these awards no later than 45 days after the date of this Order.

24           7. The Court dismisses this case with prejudice as to all Class Members.

25  
26  
27 Dated: 12-15-15

  
\_\_\_\_\_  
Honorable Robert C. Jones  
District Judge